

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON TUESDAY, JANUARY 18, 2011 AT 9:30 A.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, PETE FOLEY, COUNTY ATTORNEY, AND DEB VERLEY, ADMINISTRATIVE ASSISTANT, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

DEED OF DEDICATION

Norman Voyles stated that this item was tabled from the last meeting. The original Deed of Dedication presented December of 2007 left off an owner's name and this deed is to correct that. Brian Goss made a motion to approve the deed. Seconded by Don Adams. Motion carried 3-0.

GRANT ADMINISTRATION AGREEMENTS

Amy Miller, Cornerstone Grants, submitted an agreement for grant administration services for the Wildwood Conservancy District (\$1,075,100) and Lake Edgewood Conservancy District (\$1,067,600) grants. The grants are for improvements to the dams. The fees for this will be included in the grant amount. Brian Goss made a motion to approve the agreements. Seconded by Don Adams. Motion carried 3-0.

IHCDA GRANTS (Indiana Housing and Community Development Authority)

Kenny Hale stated that the county has been awarded three Disaster Recovery grants to be used for matching funds for FEMA grants from the 2008 flood. The grants are as follows: #DR1HB-009-012 \$60,874.00, DR1HB-009-011 \$63,124.00, DR1HB-009-010 \$432,747.00. Pete Foley stated that these grants are contingent upon receiving the FEMA grants. Mr. Hale updated the board on the progress of the properties that have already been purchased through previously awarded grants. Don Adams made a motion to approve acceptance of the grant funds. Seconded by Brian Goss. Motion carried 3-0.

ZONING ORDINANCE AMENDMENT

Kenny Hale stated that the Planning Commission approved this amendment regarding temporary signs and the definition of a public building. Mr. Hale stated that non-profit organizations can advertise for special events and the maximum sign size is 18 square feet. Governmental units can advertise for special events with a maximum sign size of 9 square feet. Brian Goss made a motion to approve Amendment #27 to the Zoning Ordinance. Seconded by Don Adams. Sherrie Mitchell, of Morgantown, stated that she did not think that there should be special ordinances for not for profits or governmental entities. Kenny Hale stated that other signs are addressed in the Zoning Ordinance, this is an area that was not addressed by the ordinance. Motion carried 3-0.

AMBULANCE COMMITTEE

Don Adams stated that he prepared a draft resolution and asked the board and attorney to review it and discuss it at the next meeting. Norman Voyles stated that the progress on this issue will be governed by what the General Assembly does.

CHANGE ORDER

Norman Voyles stated that there were some problems with the washer and dryer installations for the jail expansion project. The plans were for electric dryers, but this was changed to gas and required additional work such as gas line, different vents, and cutting a hole in the floor. CDi presented a proposal for this work (through the subcontractor). DLZ reviewed the proposal and stated it was too high. The proposal has been reduced to \$16,457 and added a three week extension, with a one-week extension of payment. Pete Foley stated that the proposal appears to have a two week extension included in the pricing. Mr. Voyles stated that he would confirm the cost and report back at the next meeting. Don Adams made a motion to table the item. Seconded by Brian Goss. Motion carried 3-0.

MINUTES

Brian Goss made a motion to approve the minutes of the December 6, 2010 meeting. Seconded by Don Adams. Motion carried 3-0.

ENCUMBERED CLAIMS

Brian Goss made a motion to approve the encumbered claims totaling \$704,559.52. Seconded by Don Adams. Motion carried 3-0.

TORT CLAIM

Brian Goss made a motion to send the Gray tort claim to the insurance company. Seconded by Norman Voyles. Motion carried 3-0.

ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, requested approval of the Final Inspection Report and Recommendation for Acceptance for the paving project on Mann Road. The project was completed on May 4th. Mr. Smith stated that the inspection was approved earlier, but was not signed. Don Adams made a motion to approve the report and sign the document. Seconded by Brian Goss. Motion carried 3-0.

Mr. Smith stated that there were seven bidders for the Bridge #57 project. Bids ranged from \$773,214.25 to \$1,276,787.05. The low bid was from Schutt Lookabill Company, Inc. Mr. Smith stated that the bridge will be closed for two or three months and must be finished by July 16th. The state will award the bid and the county's cost will be 20%.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that they received a shipment of salt this morning, but not the whole amount that was ordered. So far this year they have used 1,200 tons of salt. Mr. Waggoner stated that the chain of storms has taken a toll on the equipment. Crews are readying for the next storm.

COMMENT

Sherrie Mitchell stated that she had a grievance to bring before the board. Ms. Mitchell showed a newspaper article regarding Jack Walters and stated that Mr. Walters had property on his front lawn that was unsightly and the property was seized and sold by the county and she did not want this to happen to another Morgan County resident. Ms. Mitchell stated that she does not know Mr. Walters and did not see the property. Don Adams stated that the newspaper account does not take into account the effort and time the county put forward in trying to work with the gentleman. Ms. Mitchell stated that Mr. Walter's rights were infringed on and there should be a better way. Mr. Adams stated that sometimes the good of the community and the good of the individual are in conflict and the laws do as much as they can to protect the liberty of the individual, but the liberty of the individual cannot extend to the point where he can do whatever he wants whenever he wants. Pete Foley stated that Mr. Walters was provided due process through the court and was a participant in the process. Ms. Mitchell asked how to petition the government to change the Zoning Ordinance. Mr. Foley stated that the first step is with the Planning Commission. The board considers any change to the ordinance and has a public hearing. After approval by the Planning Commission, the proposed amendment is submitted to the Board of Commissioners for final action.

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Don Adams

Attest:

Brenda Adams, Morgan Co. Auditor